

FILED

UNITED STATES COURT OF APPEALS

DEC 23 2021

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In re: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION,

INDIRECT PURCHASER PLAINTIFFS,

Plaintiff-Appellee,

v.

TOSHIBA CORPORATION; TOSHIBA
AMERICA, INC.; TOSHIBA AMERICA
INFORMATION SYSTEMS, INC.;
TOSHIBA AMERICA CONSUMER
PRODUCTS, LLC; TOSHIBA AMERICA
ELECTRONIC COMPONENTS, INC.;
SAMSUNG SDI CO., LTD.; SAMSUNG
SDI AMERICA, INC.; SAMSUNG SDI
(MALAYSIA) SDN BHD; SAMSUNG
SDI MEXICO S.A. DE C.V.; SAMSUNG
SDI BRASIL LTDA.; SHENZHEN
SAMSUNG SDI CO., LTD.; TIANJIN
SAMSUNG SDI CO., LTD.; HITACHI,
LTD.; HITACHI DISPLAYS, LTD., AKA
Japan Display, Inc.; HITACHI
AMERICA, LTD; HITACHI ASIA, LTD.;
HITACHI ELECTRONIC DEVICES
(USA), INC.; PANASONIC
CORPORATION, FKA Matsushita
Electric Industrial Co., Ltd. ("MEI"), is a
Japanese entity; PANASONIC
CORPORATION OF NORTH
AMERICA; MT PICTURE DISPLAY
CO., LTD; PHILIPS KONINKLIJKE

No. 20-16685

D.C. No. 4:07-cv-05944-JST
Northern District of California,
Oakland

ORDER

N.V.; PHILIPS ELECTRONICS NORTH
AMERICA CORPORATION; PHILIPS
TAIWAN LIMITED; PHILIPS DO
BRASIL LTDA.; THOMSON
CONSUMER ELECTRONICS, INC.;
THOMSON SA; TECHNOLOGIES
DISPLAYS AMERICAS LLC,

Defendants-Appellees,

v.

ELEANOR LEWIS, Proposed Intervenor,

Movant-Appellant.

In re: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION,

INDIRECT PURCHASER PLAINTIFFS,

Plaintiff-Appellee,

v.

JEFF SPEAECT; GLORIA A.
COMEAX; VALERIE G. DEICK; ERIC
R. COGGINS; DALE B. MCKENZIE;
HEATHER J. GORDON; MIGUEL A.
ALBARRAN; DAVID N. WATSON;
CRAIG A. SCHULER; MARY J.
BAUCOM; BRENDAN C. MCCANN;
DENNIS S. CORNETT; LISA L.

No. 20-16686

D.C. No. 4:07-cv-05944-JST
Northern District of California,
Oakland

BUTTERBRODT; JESSICA M.
MCINTYRE,

Objectors-Appellants,

v.

TOSHIBA CORPORATION; TOSHIBA
AMERICA, INC.; TOSHIBA AMERICA
INFORMATION SYSTEMS, INC.;
TOSHIBA AMERICA CONSUMER
PRODUCTS, LLC; TOSHIBA AMERICA
ELECTRONIC COMPONENTS, INC.;
SAMSUNG SDI CO., LTD.; SAMSUNG
SDI AMERICA, INC.; SAMSUNG SDI
(MALAYSIA) SDN BHD; SAMSUNG
SDI MEXICO S.A. DE C.V.; SAMSUNG
SDI BRASIL LTDA.; SHENZHEN
SAMSUNG SDI CO., LTD.; TIANJIN
SAMSUNG SDI CO., LTD.; HITACHI,
LTD.; HITACHI DISPLAYS, LTD., AKA
Japan Display, Inc.; HITACHI
AMERICA, LTD; HITACHI ASIA, LTD.;
HITACHI ELECTRONIC DEVICES
(USA), INC.; PANASONIC
CORPORATION, FKA Matsushita
Electric Industrial Co., Ltd. (“MEI”), is a
Japanese entity; PANASONIC
CORPORATION OF NORTH
AMERICA; MT PICTURE DISPLAY
CO., LTD; PHILIPS KONINKLIJKE
N.V.; PHILIPS ELECTRONICS NORTH
AMERICA CORPORATION; PHILIPS
TAIWAN LIMITED; PHILIPS DO
BRASIL LTDA.; THOMSON
CONSUMER ELECTRONICS, INC.;
THOMSON SA; Technologies Displays

Americas LLC,

Defendants-Appellees.

In re: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION,

INDIRECT PURCHASER PLAINTIFFS,

Plaintiff-Appellee,

v.

TOSHIBA CORPORATION; TOSHIBA
AMERICA, INC.; TOSHIBA AMERICA
INFORMATION SYSTEMS, INC.;
TOSHIBA AMERICA CONSUMER
PRODUCTS, LLC; TOSHIBA AMERICA
ELECTRONIC COMPONENTS, INC.;
SAMSUNG SDI CO., LTD.; SAMSUNG
SDI AMERICA, INC.; SAMSUNG SDI
(MALAYSIA) SDN BHD; SAMSUNG
SDI MEXICO S.A. DE C.V.; SAMSUNG
SDI BRASIL LTDA.; SHENZHEN
SAMSUNG SDI CO., LTD.; TIANJIN
SAMSUNG SDI CO., LTD.; HITACHI,
LTD.; HITACHI DISPLAYS, LTD., AKA
Japan Display, Inc.; HITACHI
AMERICA, LTD; HITACHI ASIA, LTD.;
HITACHI ELECTRONIC DEVICES
(USA), INC.; PANASONIC
CORPORATION, FKA Matsushita
Electric Industrial Co., Ltd. (“MEI”), is a
Japanese entity; PANASONIC

No. 20-16691

D.C. No. 4:07-cv-05944-JST
Northern District of California,
Oakland

CORPORATION OF NORTH
AMERICA; MT PICTURE DISPLAY
CO., LTD; PHILIPS KONINKLIJKE
N.V.; PHILIPS ELECTRONICS NORTH
AMERICA CORPORATION; PHILIPS
TAIWAN LIMITED; PHILIPS DO
BRASIL LTDA.; THOMSON
CONSUMER ELECTRONICS, INC.;
THOMSON SA; TECHNOLOGIES
DISPLAYS AMERICAS LLC,

Defendants-Appellees,

v.

SCOTT A. CALDWELL, as administrator
of the Estate of Barbara Caldwell;
ANTHONY GIANASCA; WARREN
CUTLIP; MINA ASHKANNEJHAD,
individually and/or as Administrator of the
Estate of the Late R. Deryl Edwards, Jr.;
JEFF CRAIG; GEORGE MAGLARAS;
STEVEN HARRELSON; DONALD
OELZE; WALKER, WARREN &
WATKINS, LLC; SUSAN LAPAGE;
DONNA MUCCINO; FELICIA
BLACKWOOD,

Movants-Appellants.

In re: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION,

INDIRECT PURCHASER PLAINTIFFS,

No. 20-16699

D.C. No. 4:07-cv-05944-JST
Northern District of California,
Oakland

Plaintiff-Appellee,

v.

TOSHIBA CORPORATION; TOSHIBA AMERICA, INC.; TOSHIBA AMERICA INFORMATION SYSTEMS, INC.; TOSHIBA AMERICA CONSUMER PRODUCTS, LLC; TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.; SAMSUNG SDI CO., LTD.; SAMSUNG SDI AMERICA, INC.; SAMSUNG SDI (MALAYSIA) SDN BHD; SAMSUNG SDI MEXICO S.A. DE C.V.; SAMSUNG SDI BRASIL LTDA.; SHENZHEN SAMSUNG SDI CO., LTD.; TIANJIN SAMSUNG SDI CO., LTD.; HITACHI, LTD.; HITACHI DISPLAYS, LTD., AKA Japan Display, Inc.; HITACHI AMERICA, LTD; HITACHI ASIA, LTD.; HITACHI ELECTRONIC DEVICES (USA), INC.; PANASONIC CORPORATION, FKA Matsushita Electric Industrial Co., Ltd. (“MEI”), is a Japanese entity; PANASONIC CORPORATION OF NORTH AMERICA; MT PICTURE DISPLAY CO., LTD; PHILIPS KONINKLIJKE N.V.; PHILIPS ELECTRONICS NORTH AMERICA CORPORATION; PHILIPS TAIWAN LIMITED; PHILIPS DO BRASIL LTDA.; THOMSON CONSUMER ELECTRONICS, INC.; THOMSON SA; TECHNOLOGIES DISPLAYS AMERICAS LLC,

Defendants-Appellees,

v.

TYLER AYRES; MIKE BRATCHER;
NIKKI CRAWLEY; JAY ERICKSON;
HARRY GARAVANIAN; JOHN
HEENAN; HOPE HITCHCOCK; D.
BRUCE JOHNSON; JEFF JOHNSON;
KERRY MURPHY; CHRIS SEUFERT;
ROBERT STEPHENSON; GARY
TALEWSKY; WILLIAM TRENTHAM,

Movants-Appellants.

Before: W. FLETCHER and CLIFTON, Circuit Judges, and KATZMANN,*
Judge.

The panel has unanimously voted to deny Appellants' Motion for Rehearing and Motion for Rehearing En Banc (Docket Entry No. 80). Judge Fletcher has voted to deny the motion, and Judge Clifton and Judge Katzmann so recommend.

The full court has been advised of the motion for rehearing en banc, and no judge has requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 35.

The motion for rehearing and motion for rehearing en banc are DENIED.

* The Honorable Gary S. Katzmann, Judge for the United States Court of International Trade, sitting by designation.